

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PENNSYLVANIA NATIONAL MUTUAL §
CASUALTY INSURANCE COMPANY d/b/a §
PENN NATIONAL INSURANCE, §

Plaintiff, §

VS. §

CIVIL ACTION NO. 4:16-CV-01947

WESTPORT INSURANCE CORPORATION, §
on its own behalf and as Assignee of §
HOUSTOUN, WOODWARD, EASON, §
GENTLE, TOMFORDE, AND ANDERSON, §
INC. d/b/a INSURANCE ALLIANCE, §

Defendant. §

JURY VERDICT

Question No. 1 (Penn National has the burden of proof)

Do you find by a preponderance of the evidence that Westport failed to act as an ordinarily prudent insurance company would have under the same or similar circumstances by not accepting the alleged Highport-Insurance Alliance Lawsuit settlement demand made on May 20, 2009?

Answer "Yes" or "No."

ANSWER: Yes

Question No. 2 (Penn National has the burden of proof)

Do you find by a preponderance of the evidence that Westport failed to act as an ordinarily prudent insurance company would have under the same or similar circumstances by not accepting the alleged Highport-Insurance Alliance Lawsuit settlement demand made on September 22, 2009?

Answer "Yes" or "No."

ANSWER: Yes

Question No. 3 (Penn National has the burden of proof)

Do you find by a preponderance of the evidence that Westport failed to act as an ordinarily prudent insurance company would have under the same or similar circumstances by not accepting the alleged Highport-Insurance Alliance Lawsuit settlement demand made in July 2010?

Answer "Yes" or "No."

ANSWER: Yes

Question No. 4 (Penn National has the burden of proof)

Do you find by a preponderance of the evidence that Westport failed to act as an ordinarily prudent insurance company would have under the same or similar circumstances by not accepting the alleged Highport-Insurance Alliance Lawsuit settlement demand made in November 2010?

Answer "Yes" or "No."

ANSWER: Yes

We, the jury, have unanimously answered the above and foregoing special issues in the manner indicated in this verdict form and return these answers to the Court as our verdict.

ORIGINAL SIGNATURE ON
FILE IN OFFICE OF THE CLERK
FOREPERSON

12/9/2022
DATE